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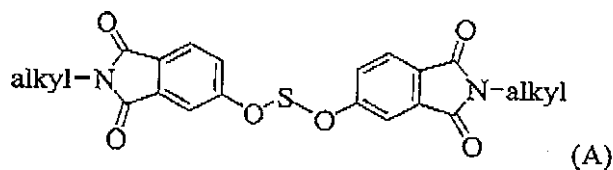
REMARKS

Claims 1-41 are pending in the present Application. Claims 10, 34, and 36 have been amended to correct inadvertent typographical errors. Reconsideration and allowance of the claims is respectfully requested in view of the above amendments and the following remarks.

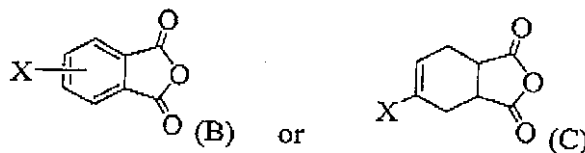
Claim Rejections Under Obviousness-type Double Patenting

Claims 1-41 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-29 of U.S. Patent No. 6,498,224 to Odle et al. (Odle). Applicants respectfully traverse this rejection.

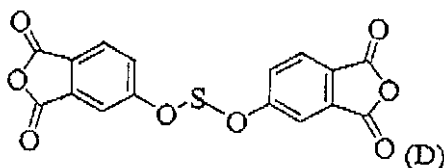
Odle claims a method for the synthesis of poly(etherimide)s comprising the reaction of an alkylated bisimide (exemplary structure A)



with a substituted phthalic anhydride (exemplary structure B) or a 4-substituted tetrahydrophthalic anhydride (exemplary structure C)



To form a dianhydride (exemplary structure D)



which is reacted with a diamine to form a polyetherimide.

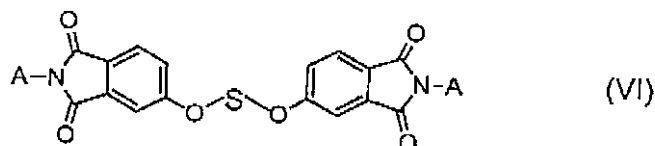
Claim 1 of the pending application is directed to method for the synthesis of an activated bisimide, comprising

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reacting 4-halotetrahydrophthalic anhydride with a primary amine having the formula $A-NH_2$ to yield an N-substituted-4-halotetrahydrophthalimide wherein A is a group which activates the tetrahydrophthalimide ring system to aromatization;

aromatizing activated 4-halotetrahydrophthalimide in the presence of a catalyst to yield an activated 4-halophthalimide; and

treating activated 4-halophthalimide (V) with a disodium salt of a dihydroxy compound having the structure $HO-S-OH$, to yield the activated bisimide (VI):

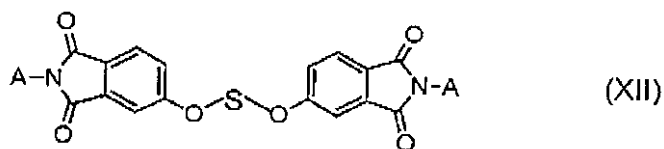


Independent Claim 10 is directed to a method for the synthesis of poly(etherimide)s, comprising

reacting 4-halotetrahydrophthalic anhydride with a primary amine having the formula $A-NH_2$ to yield an N-substituted-4-halotetrahydrophthalimide wherein A is a group which activates the tetrahydrophthalimide ring system to aromatization;

aromatizing N-substituted-4-halotetrahydrophthalimide in the presence of a catalyst to yield an N-substituted-4-halophthalimide; and

treating N-substituted-4-halophthalimide with a disodium salt of a dihydroxy compound having the structure $HO-S-OH$, to yield the activated bisimide (VI); and



reacting activated bisimide (XII) with a diamine to form a poly(etherimide) and the primary amine.

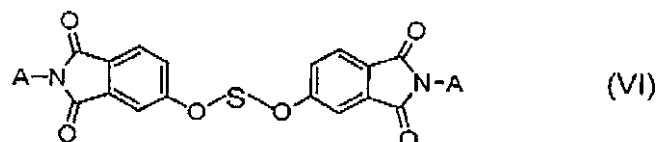
Independent Claim 20 is directed to a method for the synthesis of poly(etherimide)s, comprising

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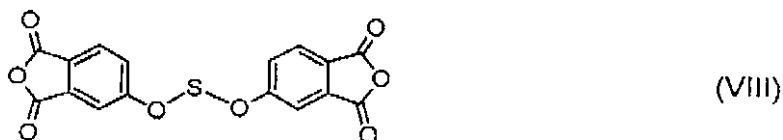
reacting 4-halotetrahydrophthalic anhydride with a primary amine having the formula $A-NH_2$ to yield an N-substituted-4-halotetrahydrophthalimide wherein A is a group which activates the tetrahydrophthalimide ring system to aromatization;

aromatizing the N-substituted-4-halotetrahydrophthalimide in the presence of a catalyst to yield an N-substituted-4-halophthalimide; and

treating N-substituted-4-halophthalimide with a disodium salt of a dihydroxy compound having the structure $HO-S-OH$, to yield the activated bisimide (VI); and



converting the activated bisimide (VI) to dianhydride (VIII)



and reacting dianhydride (VIII) with a diamine to yield a poly(etherimide).

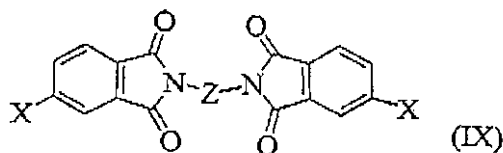
Independent Claim 31 is directed to a method for the synthesis of poly(etherimide)s, comprising

reacting 4-halotetrahydrophthalic anhydride with a primary amine having the formula $A-NH_2$ to yield an N-substituted-4-halotetrahydrophthalimide wherein A is a group which activates the tetrahydrophthalimide ring system to aromatization;

aromatizing N-substituted-4-halotetrahydrophthalimide in the presence of a catalyst to yield an N-substituted-4-halophthalimide in the presence of a catalyst;

treating N-substituted-4-halophthalimide (V) diamine (VII) to produce the dihalobisimide (IX); and

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reacting dihalobisimide (IX) with the disodium salt of a dihydroxy compound having the structure HO-S-OH, to yield poly(etherimide).

Independent Claim 37 is directed to a method for the synthesis of an activated 4-halophthalimide, comprising

reacting 4-halotetrahydrophthalic anhydride with a primary amine having the formula A-NH₂ to yield an N-substituted-4-halotetrahydrophthalimide wherein A is a group which activates the tetrahydrophthalimide ring system to aromatization; and

aromatizing activated 4-halotetrahydrophthalimide in the presence of a catalyst to yield an activated 4-halophthalimide.

Each of the above pending claims require the presence of group (A) which activates the tetrahydrophthalimide ring system to aromatization. Exemplary groups include pyridine, chloropyridine, nitropyridine, pyrimidine, pyrazine, thiazole, methylthiazole, benzothiazole, 1,3,4-thiadiazole, and benzotrifluoride. (Claims 6, 14, 24, and 40). Clearly the types of groups which activate the tetrahydrophthalimide ring system to aromatization are significantly different than the alkyl groups described in Odle.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a prima facie case of obviousness. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Establishing a prima facie case of obviousness requires that all elements of the invention be disclosed in the prior art. *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Applicants respectfully assert that a prima facie case of obviousness has not been established because Odle does not disclose all the elements in the pending claims, particularly the presence and identity of a group which activates the tetrahydrophthalimide ring system to aromatization.

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It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 07-0862 maintained by the Assignee.

Respectfully submitted,

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